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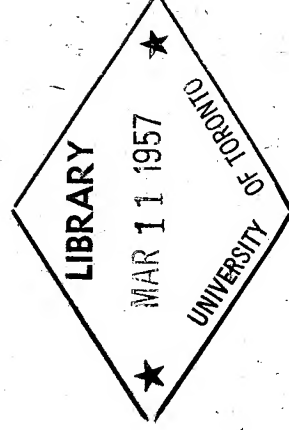
Fifth Session, Twenty-Second Parliament, 5-6 Elizabeth II, 1957.

THE SENATE OF CANADA

BILL F.

An Act to amend the Territorial Lands Act.

AS PASSED BY THE SENATE, 5th MARCH, 1957.



EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1957

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An Act to amend the Territorial Lands Act.

R.S., c. 263;
1955, c. 17.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section 2 of the *Territorial Lands Act* is amended by adding thereto, immediately after paragraph (c) thereof, the following paragraph:

"Judge of
the Court."

"(cc) "judge of the Court" means, in relation to any matter arising in the Northwest Territories, a judge of the Territorial Court, and, in relation to any matter arising in the Yukon Territory, a judge of the Territorial Court of the Yukon Territory;"

2. Subsections (1) and (2) of section 15 of the said Act are repealed and the following substituted therefor:

Summons to
vacate or
show cause.

"15. (1) Where under this Act the right of any person to use, possess or occupy territorial lands has been forfeited or where, in the opinion of the Minister, a person is wrongfully or without lawful authority, using, possessing or occupying territorial lands and he continues to use, possess or occupy or fails to deliver up possession of the lands, an officer of the Department of Northern Affairs and National Resources authorized by the Minister for that purpose may apply to a judge of the Court for a summons directed to such person calling upon such person

(a) to forthwith vacate or abandon and cease using, possessing or occupying such lands; or

(b) within thirty days after service of the summons upon him to show cause why an order or warrant should not be made for his removal from the said lands.

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EXPLANATORY NOTE.

This Act refers in sections 15 and 17 to a stipendiary magistrate. There are now no longer any stipendiary magistrates for the Yukon Territory or the Northwest Territories. The purpose of this Bill is to substitute for stipendiary magistrate a judge of the appropriate Territorial Court.

Warrant for
removal.

(2) Where a summons has been served under subsection (1) and within thirty days from the service thereof the person named in the summons has not removed from, vacated or ceased using, possessing or occupying the said lands or has not shown cause why he should do so, a judge of the Court may make an order or warrant for that person's summary removal from the lands." 5

Appeal.

3. Section 17 of the said Act is repealed and the following substituted therefor:

"17. The order or judgment of a judge of the Court in 10 any action or proceedings under this Act is subject to an appeal by a party to such action or proceedings in the same manner as any other order or judgment of a judge of the Court."